



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,705	04/15/2004	Roy Schoenberg	66729/P034US/10614706	6791
29053 7590 07/10/2009 FULBRIGHT & JAWORSKI L.L.P. 2200 ROSS AVENUE SUITE 2800 DALLAS, TX 75201-2784				
EXAMINER				
RAPILLO, KRISTINE K				
ART UNIT		PAPER NUMBER		
3626				
MAIL DATE		DELIVERY MODE		
07/10/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 3626

Advisory Action

1. This communication is in response to the amendment after final submitted June 15, 2009.

Rejections Under 35 U.S.C. §112, Second Paragraph

2. The Applicant argues that the language at issue is sufficiently definite under 35 U.S.C. §112, Second Paragraph and that the issue raised by the Examiner concerns the breadth of the language. The Examiner respectfully agrees, thus the 35 U.S.C. §112, Second Paragraph rejections of claims 13, 19, 32, and 38 are hereby withdrawn.

Rejections Under 35 U.S.C. §103

3. In regard to the claim 1, the Applicant argues the Ross and Wheeler references individually, rather than in combination; thus, the Applicant's argument is not persuasive.

/Kristine K Rapillo/

Examiner, Art Unit 3626

/C. Luke Gilligan/

Supervisory Patent Examiner, Art Unit 3626